

Application Number: 09/938,465

Docket Number: 10010979-1

**REMARKS**

Upon entry of this Response, claims 1-3, 5-10, 12-17, and 19-23 remain pending in the present Patent Application. Applicant requests allowance of the pending claims in view of the following remarks.


Claims 1-3, 5-10, 12-17, and 19-21 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent, 5,907,837 issued to Ferrel et al. (hereafter "Ferrel"), U.S. Patent 6,012,071 issued to Krishna et al., (hereafter "Krishna"), and further in view of U.S. Patent Publication No. 2003/0163784 published by Daniel (hereafter "Daniel"). Applicant notes that claims 4, 11, and 18 have been objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form. The present Response makes amendments to independent claims 1, 8, and 15, incorporating the substance of allowable claims 4, 11, and 18, respectively. Accordingly, Applicant asserts that amended claims 1, 8, and 15 are allowable over the cited combination of references. In addition, Applicant asserts that claims 2-3, 5-7, 9-10, 12-14, 16-17, and 19-21 are in condition for allowance as ultimately depending from amended claims 1, 8, or 15. Therefore, Applicant requests that the rejection of claims 1-3, 5-10, 12-17, and 19-21 be withdrawn.

In addition, claims 3, 10, and 17 have been amended so as to be consistent with the amendments to claims 1, 8, and 15, respectively.

**CONCLUSION**

Applicant respectfully requests that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicant's response, the Examiner is encouraged to telephone Applicant's undersigned counsel.

Respectfully submitted,

  
Michael J. D'Aurelio  
Reg. No. 40,977

D'Aurelio & Mathews, LLC  
5755 Granger Road, Suite 365  
Cleveland, Ohio 44131  
Phone: (216) 459-8302  
Fax: (216) 459-8301